



## APPENDIX I

### ALL PENDING CLAIMS WITH AMENDMENTS EFFECTED THEREIN

1. (Currently amended) An impacting instrument for acting on a movable object, comprising:

a handling part;

an impact part which enters into dynamic operative contact with the object during active use;

an actuating part coupling said impact part with said handling part; and

at least one arrangement including at least one of vibration- or resonance-active elements comprised of at least one of distinct volumetric, surface or linear regions, which differ from at least a part of respective surroundings thereof by at least one parameter related to at least one of vibration or resonance and which form at least one sequence of said at least one of vibration or resonance-relevant elements extending over at least one of the parts of the impacting instrument, at least one of said at least one sequence corresponding to a harmonic series.

2. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence is disposed at or in the impact part.

3. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence is disposed at or in the actuating part.

4. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence extends at a surface or in a part of the impacting instrument body near a surface thereof.

5. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence extends within a volume of a solid body or in an inner space of the impacting instrument body.

6. (Currently amended) The impacting instrument of claim 1, wherein at least one sequence is formed by extended ones of said distinct regions.

7. (Currently amended) The impacting instrument of claim 1, wherein in at least one part of said at least one sequence, at least one of mutual edge distances or distances between centers of said distinct regions are dimensioned in such a manner in a sequential direction of the series, that a vibrationally active organization with a plurality of characteristic vibrations results.

8. (Currently amended) The impacting instrument of claim 7, wherein in at least one part of said at least one sequence, at least one of a variance, progressive or degressive with respect to the sequential direction, is provided with respect to the distinct regions or said at least one parameter.

9. (Currently amended) The impacting instrument of claim 7, wherein said at least one sequence varies vibrationally, at least sectionally.

10. (Currently amended) The impacting instrument of claim 7, wherein said at least one sequence varies at least sectionally in accordance with a statistically varying series,.

11. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence is formed at least sectionally.

12. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence is formed at least sectionally and at least approximately according to a geometric series.

13. (Currently amended) The impacting instrument of claim 1, wherein said at least one arrangement includes at least one superimposition structure of at least one of different interval, subdivision, or value sequences.

14. (Currently amended) The impacting instrument of claim 13, wherein the superimposition structure includes at least two different, at least one of approximately equally distant interval, subdivision or value sequences.

15. (Currently amended) The impacting instrument of claim 13, wherein at least one of a value or a distribution of said at least one parameter is dimensioned at least approximately equally within one of the at least one superimposition structure.

16. (Currently amended) The impacting instrument of claim 13, wherein at least one of a value or a distribution of said at least one parameter are dimensioned within one of mutually superimposed series at least approximately or at least sectionally according to at least one harmonic or at least one geometric series or according to a superimposition of said series.

17. (Currently amended) The impacting instrument of claim 1, wherein at least one varying sequence of said distinct regions, extending multidimensionally or in a plurality of two-dimensionally or three-dimensionally directions, is provided.

18. (Currently amended) The impacting instrument of claim 1, wherein said at least one sequence extends at least over at least five divisions.

19. (Currently amended) The impacting instrument of claim 1, wherein at least one superimposition of at least two vibrationally active sequences of said distinct regions is provided.

20. (Currently amended) The impacting instrument of claim 1, wherein at least one vibrationally active varying series of said distinct regions, disposed distributed along at least one edge of the impacting instrument body, is provided

21. (Currently amended) The impacting instrument of claim 1, wherein at least one vibrationally active, organized surface layer or at least one layer section with at least one of a granulate, lacquer or film coating is provided.

22. (Previously Presented) The impacting instrument of claim 1, wherein the construction is a hockey stick.

23. (Previously Presented) The impacting instrument of claim 1, wherein the construction is a golf club.

24. (Previously Presented) The impacting instrument of claim 1, wherein the construction is a baseball bat.

25. (New) The impacting instrument of claim 1, wherein said parameter related to at least one of vibration or resonance includes at least one of a resonance relevant material parameter, a shape parameter or a dimension parameter.

26. (New) The impacting instrument of claim 1, wherein said parameter related to at least one of vibration or resonance is based upon at least one of a different mass, a mass density, a deformation stiffness or a damping.

27. (New) The impacting instrument of claim 6, wherein said extended distinct regions include strip-shaped distinct regions.

28. (New) The impacting instrument of claim 10, wherein said statistically varying series can be generated by a random generator.

29. (New) The impacting instrument of claim 17, wherein said at least one varying sequence includes a harmonically or geometrically varying sequence of said distinct regions.

30. (New) The impacting instrument of claim 21, wherein said at least one vibrationally active, organized surface layer or at least one layer section with at least one of a granulate, lacquer or film coating includes a metal content.

31. (New) An impacting instrument for acting on a movable object, comprising:

a handling part;

an impact part which is contactable with the object during active use;

an actuating part coupling said impact part with said handling part; and

at least one arrangement including at least one of vibration- or resonance-active elements comprised of at least one of distinct volumetric, surface or linear regions, which differ from at least a part of respective surroundings thereof by at least one parameter related to at least one of vibration or resonance and which form at least

one sequence of said at least one of vibration- or resonance-relevant elements extending over at least one of the parts of the impacting instrument, at least one of said at least one sequence corresponding to at least one of a geometric or harmonic series.

32. (New) The impacting instrument of claim 31, wherein said at least one of the geometric or harmonic series extends over at least five divisions.

33. (New) The impacting instrument of claim 31, wherein said at least one sequence include at least two sequences which are in mutual superimposition.